

Message Text

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ACTION MMS-03

INFO OCT-01 EA-11 ISO-00 SS-20 SPC-03 PER-05 ABF-01 PM-07

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 850

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E.O. 11652 N/A

TAGS: OGEN, TGEN, JA

SUBJECT: PROPOSED ONR LIAISON GROUP

REF: A) STATE 201745, OCT 12, 1973

B) TOKYO 13941, OCT 26, 1973

C) TOKYO 16441, DEC 20, 1973

1. ON MARCH 11, EMBOFFS MET WITH FUKADA AND OTHER FONOFF REPS FOR COMPREHENSIVE REVIEW OF PROJECTED ESTABLISHMENT OF ONR GROUP IN EMBASSY'S OFFICE OF SCIENTIFIC COUNSELOR. IT WAS APPARENT FROM QUESTIONING PRESSED BY KUMAGAI OF LEGAL AFFAIRS DIVISION THAT PRINCIPAL OBJECTION OF FONOFF TO ESTABLISHMENT OF ONR GROUP (DESPITE ORAL AND WRITTEN EXPLANATION TO CONTRARY PROVIDED DURING DECEMBER 1973 VISIT OF DR. RANEY) WAS CONCERN THAT GROUP WOULD FUNCTION INDEPENDENTLY OF EMBASSY AND, THUS CONSTITUTE NEW ORGANIZATIONAL UNIT WHICH COULD NOT BE REGARDED AS TECHNICAL-ADMINISTRATIVE STAFF IN SUPPORT OF ESTABLISHED EMBASSY FUNCTIONS. EMBOFFS PROVIDED RENEWED EXPLANATION AND ASSURANCE THAT ONR PERSONNEL WOULD BE PART OF EMBASSY SCIENCE OFFICE AND FUNCTION UNDER EFFECTIVE CONTROL OF AMBASSADOR, AS REPRESENTED BY EMBASSY COUNSELOR FOR SCIENTIFIC AND TECHNOLOGICAL AFFAIRS, ALTHOUGH OF COURSE RESPONDING TO REQUESTS FROM ONR HEADQUARTERS FOR INFORMATION OR OTHER ASSISTANCE. FONOFF REPS ACKNOWLEDGED THAT, UNDER THESE CIRCUMSTANCES, NO LEGAL OBJECTION TO ESTABLISHMENT OF GROUP UNDER VIENNA TREATY COULD BE MAINTAINED, BUT REQUESTED BRIEF ADDITIONAL TIME TO CLEAR

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RESPONSE AT HIGHER LEVELS. EMBOFF MADE IT CLEAR THAT INITIAL US

APPROACH TO FONOFF HAD BEEN IN NATURE OF ADVICE AND CONSULTATION, AND NOT REQUEST FOR FORMAL APPROVAL.

2. FUKADA HAS NOW ADVISED POL-MIL COUNSELOR THAT, HAVING NOTED EMBASSY ADVICE OF PLANS TO ESTABLISH ONR GROUP, FONOFF HAS DECIDED TO MAKE NO COMMENT. THUS, FONOFF HAS IN EFFECT ACKNOWLEDGED LACK OF ANY LEGAL BASIS FOR OBJECTION TO ESTABLISHMENT OF GROUP AS PART OF OFFICE OF SCIENTIFIC AND TECHNOLOGICAL COUNSELOR, AS WELL AS PROPRIETY OF EMBASSY POSITION THAT FONOFF NEED ONLY BE CONSULTED, RATHER THAN ASKED FOR APPROVAL. AT SAME TIME, FONOFF RESPONSE, COUPLED WITH MANY REFERENCES TO POTENTIAL POLITICAL DIFFICULTIES RAISED DURING DISCUSSIONS, MAKES IT CLEAR THAT BURDEN OF DEFENDING PROPRIETY OF ONR GROUP'S ACTIVITIES, SHOULD QUESTIONS BE RAISED IN FUTURE, WILL REST ON EMBASSY AND USG.

3. EMBASSY IS NOW PREPARED TO ACCEPT ESTABLISHMENT OF ONR GROUP WITHIN EMBASSY SCIENCE OFFICE, AND TO PROVIDE MAXIMUM PRACTICAL ADMINISTRATIVE SUPPORT TO GROUP, AS DESCRIBED REF A AND ALONG LINES DISCUSSED WITH DR. RANEY DURING DECEMBER VISIT. BACKGROUND OF DISCUSSIONS WITH FONOFF ON THIS ACTION MAKE IT CLEAR, HOWEVER, THAT BOTH ORGANIZATIONAL PRINCIPALS AND DETAILED ARRANGEMENTS COVERING ONR GROUP ACTIVITIES ARE IMPORTANT ELEMENTS IN ITS ACCEPTABILITY. THESE INCLUDE SUCH MATTERS AS NAME ATTACHED TO UNIT, AND TITLE BY WHICH ONR PERSONNEL ARE INTRODUCED, AS WELL AS BASIC PRINCIPLE OF RESPONSIBILITY TO AMBASSADOR THROUGH SCIENCE COUNSELOR. WE HAVE IN MIND THAT ONR UNIT BE REFERRED TO AS "GROUP," NOT AS "OFFICE," IN VIEW APPARENT CONCERN OF FONOFF THAT TERM "OFFICE" IMPLIES INDEPENDENT STATUS. WE BELIEVE ONR PERSONNEL SHOULD BE IDENTIFIED AS ONR REPRESENTATIVES OFFICE OF SCIENTIFIC AND TECHNOLOGICAL COUNSELOR, TO MAKE CLEAR BOTH AFFILIATIONS. WE TRUST THAT THESE OR SIMILAR ALTERNATIVES WILL BE ACCEPTABLE TO ONR.

4. EMBASSY HAD EARLIER ANTICIPATED CONSULTATIONS WITH STA, AS WELL AS FONOFF, ON PROBABLE EFFECTIVENESS OF ONR GROUP IN LIGHT OF JAPANESE SENSITIVITIES. IN VIEW OF LONG DELAY IN REACHING RESOLUTION OF THIS MATTER, AND FACT THAT STA VIEWS WERE LOOKED ON AS OF SECONDARY IMPORTANCE, WE NO LONGER WISH TO DELAY OUR LIMITED OFFICIAL USE

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AFFIRMATIVE RESPONSE TO UNDERTAKE THIS CONSULTATION. HOWEVER, IT IS OUR INTENTION TO ADVISE RPT ADVISE STA AND OTHER GOJ SCIENCE AND TECHNOLOGY AGENCIES OF THIS ACTION AT APPROPRIATE TIME IN ADVANCE OF ACTUAL ARRIVAL OF ONR PERSONNEL.

5. EMBASSY LOOKS FORWARD TO FRUITFUL COOPERATION WITH ONR IN THIS ENDEAVOR AND WILL APPRECIATE BEING KEPT INFORMED OF PROGRESS OF RECRUITMENT EFFORT AND OTHER ASPECTS OF ADMIN-

ISTRATIVE PLANNING.
SHOESMITH

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